

**House File 634 - Introduced**

HOUSE FILE 634  
BY COMMITTEE ON NATURAL  
RESOURCES

(SUCCESSOR TO HSB 194)

**A BILL FOR**

1 An Act relating to persons certified to conduct  
2 time-of-transfer inspections of private sewage disposal  
3 systems, and providing penalties.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 455B.172, subsection 11, paragraph e,  
2 Code 2023, is amended to read as follows:

3 e. (1) Pursuant to chapter 17A, the department shall  
4 adopt certification requirements for inspectors, including  
5 training, testing, and fees, and shall establish uniform  
6 statewide inspection criteria and an inspection form. The  
7 inspector certification training shall include use of the  
8 criteria and form. Only a certified inspector may conduct a  
9 time-of-transfer inspection.

10 (2) An inspector's certification shall be considered  
11 current if the inspector has paid initial and renewal fees  
12 required to maintain certification, is up-to-date on continuing  
13 education units, is in good standing with the department, and  
14 has not otherwise been decertified.

15 (3) The department shall maintain a publicly available  
16 list of currently certified inspectors on the department's  
17 internet site. The department shall maintain the list such  
18 that an inspector's name is displayed next to the date that the  
19 inspector's certification first became valid and the date that  
20 the inspector's certification is set to expire.

21 (4) A certified inspector who fraudulently files a  
22 time-of-transfer report is subject to a civil penalty of five  
23 thousand dollars and the inspector's certification shall be  
24 suspended for one year.

25 (5) The seller is responsible for ensuring that a  
26 time-of-transfer report is complete as part of the real estate  
27 transaction.

28 EXPLANATION

29 The inclusion of this explanation does not constitute agreement with  
30 the explanation's substance by the members of the general assembly.

31 This bill relates to persons certified to conduct  
32 time-of-transfer inspections of private sewage disposal  
33 systems. Current law requires an inspection of a private  
34 sewage disposal system of a building in which a person resides,  
35 congregates, or is employed prior to any transfer of ownership

1 of the building. The department of natural resources (DNR) is  
2 required to adopt certification requirements for inspectors and  
3 maintain a list of certified inspectors.

4 The bill states that an inspector's certification is  
5 considered current if the inspector has paid initial and  
6 renewal fees required to maintain certification, is up-to-date  
7 on continuing education units, is in good standing with DNR,  
8 and has not otherwise been decertified. DNR's list shall  
9 display currently certified inspectors and shall be publicly  
10 available on DNR's internet site. The bill provides additional  
11 information and formatting requirements for DNR's list.

12 Under the bill, a certified inspector who fraudulently files  
13 a time-of-transfer report is subject to a civil penalty of  
14 \$5,000 and the inspector's certification shall be suspended  
15 for one year. The seller is responsible for ensuring that a  
16 time-of-transfer report is complete as part of the real estate  
17 transaction.